

## PATENT APPLICATION

**Section III. REMARKS****Acknowledgement of the Allowance of Claims 6-13, 16-17 and 24-28**

The allowance of claims 6-13, 16, 17, and 24-28 as free of the prior art of record is acknowledged.

**Cancellation of Non-Allowed Claims 1-5 and 14-15, Placing Application in Condition for Allowance**

In the October 1, 2004 Office Action, the rejection of claims 1-5 and 14-15 under 35 U.S.C. §102(e) as being anticipated by Chamberlain et al. U.S. Patent Publication No. 20003/0216332 (hereafter "Chamberlain") was maintained and made final.

Although traversing the propriety of such action, on the basis of the distinguishing remarks contained in the applicant's August 25, 2004 Amendment, of record, applicant has cancelled such non-allowed claims 1-5 and 14-15 herein, in order to (1) place the present application in condition for allowance, and (2) provide appropriate basis for pursuing such claims in a separate continuation application to now be filed in the USPTO, based on and claiming the priority of (i) the present application and (ii) U.S. provisional application no. 60/200,777 filed April 28, 2000.

Accordingly, the §102(e) rejection is rendered moot by such cancellation of claims.

**CONCLUSION**

Since the examiner has stated in the October 1, 2004 Office Action that "[c]laims 6-13, 16, 17 and 24-28 are in condition for allowance because the claims are free of the prior art of record" (page 5, lines 16-17 of the October 1, 2004 Office Action), and since such allowed claims 6-13, 16, 17 and 24-28 are now the only claims pending in the application, the present application is fully in form and condition for allowance.

The examiner therefore is respectfully requested to issue a Notice of Allowance for the application.

If any issues remain outstanding, incident to the formal allowance of the application, the examiner is requested to contact the undersigned attorney at (919) 419-9350 to discuss such issues in order to facilitate their resolution, so that the application can be passed to issue at an early date.

PATENT APPLICATION

Respectfully submitted,



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